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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/616,652	07/14/2000	Osamu Sasaki	32808	5828
116	7590	11/17/2006	EXAMINER	
PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108			ELISCA, PIERRE E	
			ART UNIT	PAPER NUMBER
			3621	

DATE MAILED: 11/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/616,652

Applicant(s)

SASAKI ET AL.

Examiner

Pierre E. Elisca

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 44-57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 44-57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to Applicant's response filed on 08/28/2006.
2. Claims 44-57 are pending.
3. The rejection to claims 44-57 under 35 U.S.C 102 (b) as being anticipated by Rosen U.S. Pat. No. 5,621,797 as set forth in the office action mailed on 04/25/2006 is maintained.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 44-57 are rejected under 35 U.S.C. 102 (b) as being anticipated by Rosen (U.S. pat. No. 5,621,797).

As per claims 44-47 Rosen discloses an electronic ticket presentation, comprising:
An electronic ticket linked to an added value online information service for receiving necessary permission, a commodity, the electronic ticket linked to the added value online information service comprising a data retaining section for storing information including: first authentication information (first authentication or secret key or private

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key) for authentication processing of the electronic ticket with a gate terminal, identification information of an information server providing the online information service to an apparatus holding the electronic ticket, and second authentication information for authenticating (second authentication or digital signature or certificate) a communication between the apparatus holding the electronic ticket and the information server see, Rosen, figs 8 and 27, col 13, lines 54-67, col 15-col 20. Please note that the first authentication is readable a secret key or a private key and the second authentication is readable as a digital signature or digital certificate.

As per claims 48-57 Rosen discloses an electronic ticket presentation, comprising: Communication means for for communicating with the apparatus, a ticket issuing database for generating electronic ticket, and a service server secret key for applying a digital signature to the electronic ticket, wherein the ticket issuing database is adapted to generate information including first authentication information for authentication processing of the electronic ticket with a gate terminal, identification information of an information server for providing the online information service to the apparatus holding the electronic ticket, and second authentication information for authenticating a communication between the apparatus holding the electronic ticket and the information server (see, Rosen, figs 8 and 27, col 13, lines 54-67, col 15-col 20). Please note that the first authentication is readable a secret key or a private key and the second authentication is readable as a digital signature or digital certificate.

RESPONSE TO ARGUMENTS

6. Applicant's arguments filed on 08/28/2006 have been fully considered but they are not persuasive.

REMARKS

7. In response to Applicant's arguments, Applicant argues that the prior art of record (Rosen) fails to anticipate the cited claim limitation:

a. " first and second authentication information. As indicated above, it is believed that the cited reference (Rosen) discloses this limitation in col 7, lines 36-63, specifically wherein said the Issuer signature section 14 of a ticket 8 holds a digital signature, formed by the ticket creator, over the identifier and components section 10, 12 and col 16, lines 7-43. Please note that the first authentication is readable as a secret key or a private key and the second authentication is readable as a digital signature or digital certificate.

b. Furthermore, during the Interview conducted on 08/15/2006, the Examiner has suggested to Applicant's representative to amend the independent claims. Applicant's representative has agreed on a proposed amendment. However, neither an amendment nor a proposed amendment has been filed. Therefore, the rejection mailed on 04/25/2006 is maintained.

Conclusion

8. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre E. Elisca whose telephone number is 571 272 6706. The examiner can normally be reached on 6:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Fischer can be reached on 571 272 6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Pierre Eddy Elisca

Primary Examiner

October 31, 2006